

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

HUMANA INC.,

and

HUMANA BENEFIT PLAN OF TEXAS,
INC.,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity
as Secretary of the United States Department
of Health and Human Services,

and

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES,

Defendants.

No. 4:23-cv-00909-O

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Civil Rule 56.3 of the United States District Court for the Northern District of Texas, Plaintiffs Humana Inc. and Humana Benefit Plan of Texas, Inc. (collectively, "Plaintiffs") respectfully move for summary judgment on all claims for relief in Plaintiffs' Complaint (ECF No. 1). Pursuant to Local Civil Rule 56.3(b), each of the matters required by Local Civil Rule 56.3(a) is set forth in the accompanying Brief in Support of Plaintiffs' Motion for Summary Judgment.

Plaintiffs respectfully request that the Court grant this motion and enter judgment in their favor.

Dated: October 7, 2024

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By: /s/ Timothy S. Durst

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CERTIFICATE OF SERVICE

On October 7, 2024, a true and correct copy of the foregoing document was served upon all persons who have requested notice and service of pleadings in this case via the Court's CM/ECF system.

/s/ Timothy S. Durst
Timothy S. Durst